

### **REMARKS**

Applicants thank the Examiner for total consideration given the present application. Claims 1-13 remains pending. Claim 1 is independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

### **ALLOWABLE SUBJECT MATTER**

Applicant appreciates that claims 2-13 are indicated to define allowable subject matter.

### **35 U.S.C. § 102 REJECTION – IZAWA ET AL.**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Izawa et al. (4,870,493) (hereinafter “Izawa”). Applicant respectfully traverses this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Izawa fails to teach or suggest each and every claimed element. For example, independent claim 1 recites, *inter alia*, “A solid-state image pickup apparatus for converting light incident from an object field to an electric picked-up signal and processing the electric picked-up signal to produce an image signal, comprising ... *a timing generator for generating a timing signal for transferring the signal charges for said solid-state image sensor in accordance with the control signal; said timing generator lowering, in accordance with the sensitivity selected, a frequency of the horizontal transfer signal below usual frequency for use in transferring the signal charges in the horizontal direction.*” *Emphasis added.*

Izawa teaches a solid state image pickup device including matrix array of 4 row and 2 column image pickup elements responsible for horizontal and vertical scanning. Izawa also teaches a sensitivity control circuit that receives an output signal from a detecting circuit DET and compares with a desired degree of aperture (col. 8, lines 54-68). The control circuit also

receives clock signal for controlling the scanning timing and the sensitivity or degree of aperture. However, Izawa fails to teach that the *"timing signals lowers the frequency of the horizontal transfer signal below a usual frequency for use in transferring the signal charges in the horizontal direction in accordance with the sensitivity selected."* Izawa cannot anticipate claim 1 for at least these reasons. Accordingly, Applicant respectfully requests that the rejection of claim 1, based on Izawa, be withdrawn.

**Conclusion**

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact D. Richard Anderson Reg. No. 40,439 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 2, 2007

Respectfully submitted,

By 

D. Richard Anderson  
Registration No.: 40,439  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant